REMARKS:

I. Introduction

In the Office Action mailed on April 5, 2006, the Examiner rejected claims 1 to 3, 7, 8, and 10 to 12 and withdrew claims 4 to 6, 9, 13 and 14 from consideration. The present amendment cancels claims 13 and 14, amends claim 11, and adds new claims 15 and 16. Accordingly, claims 1 to 12, 15, and 16 are now pending in this application.

II. Claim Rejections Based on 35 U.S.C. § 103(a)

The Examiner rejected claims 1 to 3, 7, 8, and 10 to 12 under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US 5,131,194) in view of Cross et al. (US 2,258,973). The examiner asserted that Anderson shows everything except that "Anderson does not show the receiving channel section being deeper than an opposite channel section." The Examiner further asserted that "Cross et al shows a receiving channel section (figure 9 the channel where part 8 is) being deeper than an opposite channel section to enable the easy and secured mounting of the glazing panel into the channels" and "it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Anderson's structure to show the receiving channel section being deeper than an opposite channel section because it would allow for the easy and secured mounting of the glazing panel in the channels as taught by Cross et al."

Anderson et al. disclose a double pain window having a pair of spaced apart panes (11, 12) that are mounted within an elastomeric foam gasket (13). The flexible gasket (13) extends about the peripheral edges of the pains (11, 12) and has recesses (60, 61) that receive the edges of the pane. The elastomeric gasket (13) can be resiliently deflected and deformed in order to install the gasket about the edges of the panes (11, 12). The gasket (13) is inserted into a recess (220) of a window frame (120). The window frame (120) extends along the sides of the gasket (13) so that gasket (13) cannot be deformed to release the panes (11,12). To remove one of the panes (11, 12) for repair, the gasket and panes (11, 12) must first be removed from the frame (120) before the gasket can be deformed for removal of the panes (11. 12). Anderson et al. is silent as to whether the panes (11, 12) are flexible enough and the gasket (13) is sized so that the panes (11, 12) can be resiliently bowed for insertion into

opposite sections of the recesses (60, 61) to allow another edge to be inserted into a another channel section.

Cross et al. disclose a window sash having a pane (4) that can be easily replaced when broken. Left and right sides of the frame form channels that receive left and right edges of the pane (4) (best shown in figures 4 to 6 and 9). The left channel being deeper than the right channel). The top and bottom edges of the pane (4), however, are not received in channels. The top and bottom edges simply engage L-shaped rabbets (best seen in figure 2). The frame is sized so that the left edge of the pane (4) can be slid into the deep channel far enough so that the right edge can pivoted inwardly and inserted into the narrow channel. The deep channel is provided with a leaf spring (5) to bias the pane (4) into the narrow channel so that the pane (4) is held within the channel. To remove the pane (4) for repair, the pane (4) is slide sideways toward the deeper channel against the bias of the leaf spring (5), and thin pivoted out. Cross et al. is silent as to whether the pane (4) is flexible enough and the frame is sized so that the pane (4) can be resiliently bowed for insertion into the opposite channel sections, but even if so there is not another channel for another edge to be inserted. Thus Cross et al. does supply all of the deficiencies of Anderson et al.

In contrast, the present invention has a glazing panel that is sufficiently thin and flexible so that opposite edges can be drawn together so that they can be inserted into opposite channel sections (the left and right sides in figures 2 and 3) so that another edge (the bottom edge B of the upper panel 22A and the top edge A of the bottom panel 22B in figure 1) can be inserted into a receiving channel (the bottom channel 30 for the upper panel 22A and the top channel 30B for the bottom panel 22B in figure 1). The receiving channel is deeper than the opposite channel so that the pane can be inserted into the receiving channel a sufficient depth so that the final edge (the top edge A of the upper panel 22A and the bottom edge B of the bottom panel 22B in figure 1) can be inserted into the channel opposite the receiving channel. The resilient bowing of the panel is enables the panes to be inserted into and removed from the channels about the entire periphery of the pane without alteration, deformation, or disassembly of the frame. It was the inventive insight of the present inventors that conceived this improved installation.

Independent claim 1, and claims dependent therefrom, are allowable because they each include the limitations of "said glazing panel being sufficiently thin and flexible to be able to be easily bowed so as to allow opposite edges of said glazing to be drawn together sufficiently to be able to be passed by the lips of opposite sections of said perimeter channel and allow another edge of said glazing panel to be received in a receiving channel section extending along said glazing opening, said receiving channel section being deeper than an opposite channel section so that upon insertion of said another edge of said glazing panel and movement towards the bottom of said receiving channel section, an edge of said glazing panel opposite said another edge clears said lip of said opposite channel section which is shallower than said receiving channel section to enable insertion and removal of said glazing panel." No prior art of record reasonably discloses or suggests the present invention as defined by claim 1. Reconsideration and withdrawal of the rejection is requested.

IV. CONCLUSION

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is found that that the present amendment does not place the application in a condition for allowance, applicant's undersigned attorney requests that the examiner initiate a telephone interview to expedite prosecution of the application. If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-2326.

Respectfully submitted,

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